

3622 #

TRANSMITTAL LETTER
(General - Patent Pending)

[Handwritten initials]

Docket No.
99-007

In Re Application Of: **WALKER et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/282,747	March 31, 1999	Khanh H. Lee	22927	3622	9049

Title: **METHOD AND APPARATUS FOR PROVIDING CROSS-BENEFITS BASED ON A CUSTOMER ACTIVITY**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Supplemental Information Disclosure Statement (5 pp.);
PTO Form-1449 (6 pp.) and references cited therein (56); and
Return Receipt Postcard.

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-0271** as described below.
 - ☒ Charge the amount of **\$180.00**
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Michael D. Downs
Signature

Dated: **November 8, 2004**

Michael D. Downs
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CUSTOMER NO. 22927

cc:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on	
November 8, 2004	(Date)
<i>Michael D. Brinton</i>	
Signature of Person Mailing Correspondence	
Michael D. Brinton	
Typed or Printed Name of Person Mailing Correspondence	



Application Serial No.: 09/282,747
Attorney Docket No.: 99-007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WALKER et al.

Serial No.: 09/282,747

Filing Date: March 31, 1999

For: METHOD AND APPARATUS FOR
PROVIDING CROSS-BENEFITS BASED
ON A CUSTOMER ACTIVITY

) Examiner: Khanh H. Le
)
) Group Art Unit: 3622
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) Attorney Docket No: 99-007
)
) **CUSTOMER NO.: 22927**
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Priority mail in an envelope with sufficient postage and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 11/08/04 By:


Michael D. Brinton

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as (i) a representation that a thorough search has been made; (ii) an admission that the information cited is, or is considered to be, material to patentability; (iii) an admission that no other material information exists; or (iv) an admission that Applicants agree with any statement(s) in the

information cited. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. ☐ Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____
_____.
3. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

- ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.
- ☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
- ☐ 37 CFR §1.97(b)(4), before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
5. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☒ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.

- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.
8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
- ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
- ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
9. ☐ I hereby certify:
- ☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.
- ☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. [X] Please accept payment of the fees due as indicated below:

[] A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

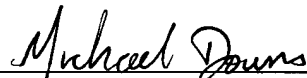
[X] The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p).

11. [X] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

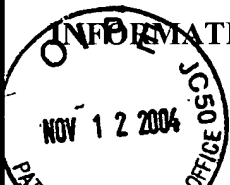
12. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

Respectfully submitted,

November 8, 2004
Date



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	99-007	09/282,747
	Applicants WALKER et al.	
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March 31, 1999	3622	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
	A	5,612,868	03/18/97	Off et al.	364	214	
	B	5,970,469	10/19/99	Scroggie et al.	705	14	
	C	6,014,634	01/11/00	Scroggie et al.	705	14	
	D	US 6,173,274 B1	01/09/01	Ryan, Jr.	705	408	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No

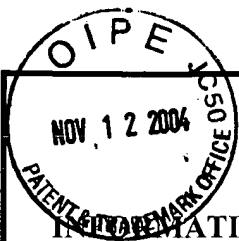
OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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OTHER DOCUMENTS *(Including author, Title, Date, Pertinent Pages, Etc.)*

E	"Milestone Events Making Spring History 1899-1989", undated.
F	Sims, Calvin, "Centel Acquiring Cellular Phone Unit", The New York Times, May 28, 1988, Section 1, pg. 33, Col. 3, Financial Desk.
G	Butcher, Lola, "United May Pocket Windfall With Sale of Cellular Business", Kansas City Business Journal, June 6, 1988, Section: Vol. 6, No. 38, Section 1, pg. 8.
H	Winter, Christine, "GTE to Sell Par of US Sprint Stake Deal to Shift Another 30% to Partner Untied Telecom", Chicago Tribune, July 19, 1988, Section: Business, pg. 2, Zone C.
I	"United Telecommunications Announces Completion of Sale", PR Newswire, October 5, 1988.
J	Henze, Doug, "A Tightening in Cellular Market", Oakland Business Monthly, August 1989, Section 1, Vol. 7, No. 8, pg. 45.
K	"United Telecom halts Sprint deal as net falls", Chicago Tribune, July 18, 1990, Section: Business, pg. 1, Zone C.
L	Connely, Joanne, "FCC gets spectrum comments; US Federal Communications Commission investigates development of personal communications networks and radio-based technologies", Chilton's Electronic News, January 28, 1991, Section: No. 1845, Vol. 37, pg. 10, ISSN: 1054-6847.
M	Manuta, Lou, "Should cellular be deregulated? Cellular radio telephones; Industry Overview", Cellular Marketing, January 1992, Section: Vol. 7, No. 1, pg. 20, ISSN: 0890-2402.
N	Rossa, James L., "Cellphones ride roller coaster; American Information Technologies Corp. to cut commission rebates to retailers", HFD-The Weekly Home Furnishings Newspaper, February 3, 1992, Section: Vol. 66, No. 5, pg. 89, ISSN: 0746-7885.
O	La Rossa, James Jr., "Ameritech policy stirs debate; executives weigh retailer rebates on eve of Cellular Telecommunications Industry Association Show; American Information Technologies Corp; Special CTIA Show Issue", HFD-The Weekly Home Furnishings Newspaper, February 10, 1992, Section: Vol. 66, No. 6, pg. 81, ISSN: 0746-7885.
P	Ziegler, Bart, "Sprint to Merge with Centel", Associated Press, May 28, 1992, Section: Business News.

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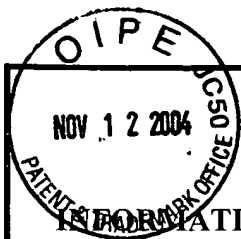
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Q	Marek, Sue, "The carrier/retailer love affair – still going strong? Cellular radio industry; Cover Story", Cellular Marketing, July 1992, Section: Vol. 7, No. 7, pg. 18, ISSN: 0890-2402.
R	"Resale Effect Debate; GAO Faults FCC on Cellular Duopoly Scheme", Communications Daily, July 2, 1992, Section: Vol. 12, No. 128, pg. 3
S	Strandjord, Jeannine M., "Should you bundle 401k services? Employee Benefits", Financial Executive, September 1992, Section: Vol. 8, No. 5, pg. 45, ISSN: 0895-4186.
T	Brown, Bob and Wallace, Bob, "AT&T bid fro McCaw to reshape landscape; Gives dominant carrier access to rapidly evolving market and opportunity to influence, drive, change.", Network World, November 9, 1992, Section: Top News, pg. 1.
U	Avril, Tom, "Centel Confident of Victory After Vote on Sprint Merger", December 2, 1992, Section: Business News.
V	Avril, Tom, "Communications; Centel Investors Vote on Sprint Merger", The Commercial Appeal, December 3, 1992, Section: Business, pg. B4.
W	Oloroso Jr., Arsenio, "Centel holds its breath; Shareholders wait to see outcome of Sprint deal", Crain's Chicago Business, December 7, 1992, Section: pg. 38.
X	Yates, Ronald E., "Sprint-Centel merger complete despite fears", Chicago Tribune, March 10, 1993, Section: Business, pg. 1, Zone N.
Y	Wenske, Paul, "Sprint's big deal", Ingram's, May 1993, Section: Vol. 19, No. 5, Section, pg. 34.
Z	Gilgoff, Henry, "Cellular Wrong Signals; Better Business Bureau: phone ads mislead", Newsday, July 22, 1993, Section: Business; It's Your Money, pg. 39.
AA	"Petition Criticized; Fight on CPE Unbundling for IXC Resellers Launched by Major Retailers", Communications Daily, August 10, 1993, Section: Vol. 13, No. 153, pg. 1.
BB	DeFebo, Carl Jr., "Sprint opens first superstore in Mechanicsburg", Central Penn Business Journal, November 3, 1993, Section: Vol. 9, No. 22, Section 1, pg. 12.

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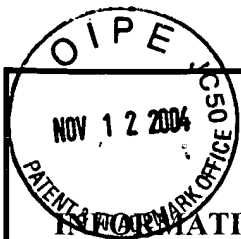
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CC	"Testimony February 8, 1994, John V. Roach Consumer Electronics Retailers Coalition House Energy/Telecommunications and Finance Antitrust Reform Act of 1993", Federal Document Clearing House Congressional Testimony, February 8, 1994.
DD	"Sprint - Company Data", Securities and Exchange Commission Form 10-Q, for the quarterly period ended March 31, 1994.
EE	"Form 10-K Sprint Corp - FON", Filed March 15, 1994 (period December 31, 1993).
FF	Kraemer, Joseph S., "Local competition; Changing Ground Rules for Network Access", Business Communications Review, September 1994, Section: Vol. 24, No. 9, pg. S4, ISSN: 0162-3885.
GG	Steward, Shawn, "Activating the masses", Cellular Business, October 1994, Section: Vol. 11, No. 10, pp. 72-80, ISSN: 0741-6520, CODEN: COHE.
HH	"Sprint - Defining the Communications Company of the Future 1994 Annual Report to Shareholders", Document Date: December 31, 1994, Filing Date: March 22, 1995.
II	"Inside Sprint Corporation: 1994 Competitive Market Developments", Inside Telecom, July 17, 1995.
JJ	"TANDY CORP - Form-Type ARS", Document Date: December 31, 1995, Filing Date: April 10, 1996.
KK	"Sprint Completes Spin-Off Of It's Cellular Subsidiary", Chicago Sun-Times, March 8, 1996, Section: Financial, pg. 44.
LL	"Securities and Exchange Commission Form 10-K/A, 360 Degrees Communications Co Cross-Reference: Sprint Cellular Co", For the fiscal year ended December 31, 1995, Filing date: April 16, 1996.
MM	Foster, Ed, "Can mixing 'cookies' with online marketing be a recipe for heartbun?", InfoWorld, July 22, 1996, pg. 54, Vol. 18, No. 30, ISSN: 0199-6649.
NN	Press Release: "Sprint, Sprint Spectrum and Radio Shack Join Forces", New York, NY, September 11, 1996.

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OO	Maxon, Terry, "Tandy pairs with Sprint for venture; Companies will offer expanded offering of telecommunications products, services", The Dallas Morning News, September 12, 1996, Section: Business; pg. 1B.
PP	Hopper, Kathryn, "Tandy, Sprint to offer one-stop phone shopping", Fort Worth Star-Telegram, September 12, 1996, Section: News, pg. 1.
QQ	"TANDY CORPORATION – Quarterly Report", For the quarterly period ended September 30, 1996, Filed November 12, 1996.
RR	Goldberg, Jeff, "Making your wireless quest easier", Point.com, copyright 1998-2000 Point.com, Inc.
SS	"J. Baker Drops Y2K Claims Against Andersen Consulting", (www.retailtech.com), download date: February 1999.
TT	"ATM Ads", CardtTrak Online, March 4, 1999, (wysiwyg //main 566/http //www cardweb com/cardtrak/news/1999/march/4a.html).
UU	Witsil, Frank, "Internet Providers Offer Free Computers with a Big Catch", Knight-Ridder Tribune Business News, July 2, 1999.
VV	PCT International Search Report for Application No.: PCT/US99/21720, mailed March 22, 2000, in the name of Walker et al., and entitled: "Method and Apparatus For Providing A Discount To a Customer That Participates In Transactions at A Plurality of Merchants".
WW	Alleman, James and Cole, Larry, "The International Handbook of Telecommunications Economics, Volume III, Sprint – GTE's lost opportunity", Edward Elgar Publishers, 2002, Chapter 10.
XX	King, Suzanne and Hayes, David, "Sprint PCS has played key role in cell phone boom", Posted: January 6, 2002.
YY	"Examiner's Affidavit", Affidavit of USPTO Primary Examiner James W. Myhre, April 11, 2003.
ZZ	Website: "Sprint 1995 Annual Report – Notes to Consolidated Financial Statements", (http //www sprint com/sprint/annual/95/finance/p_52a.html), download date October 21, 2003.
AAA	Website: "Sprint/History", (http www sprint com/sprint/ir/sd/timeline_02.html), download date: October 22, 2003.

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Website: “Qualcomm About Qualcomm – History / Key Milestones”, (<http://www.qualcomm.com/about/history/html>), download date: July 27, 2004.

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